



THE PRIVATE FIRM

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August 11, 2025,

Via PACER E-filing System

Hon. John G. Koeltl
Magistrate Stewart D. Aaron
United States District Court
Southern District of New York
500 Pearl Street
New York, New York, 10007-1312

Application Granted. SO ORDERED.

Dated: August 12, 2025
New York, New York

/s/ John G. Koeltl
John G. Koeltl, U.S.D.J.

**RE: 97 Leasing, LLC et al. v. Michael Ferrucci Repair, Inc., 24-cv-0052(JGK)-
Joint Motion to Adjourn, Summary Disposition dates.**

Hon. John G. Koeltl and Mag. Stewart Aaron,

Attorney Reese Serra of The Private Firm, representing Plaintiffs 97 Leasing, LLC and Anglin Civil, LLC ("Plaintiffs"), respectfully submits this letter pursuant to Your Honor's Individual Practices and Local Rule 7.1 to request a three (3) week adjournment of the current Summary Judgment deadlines. Counsel for Plaintiffs, Attorney Reese Serra, will be relocating in early September. Given the size of his family, six children, additional time is necessary both to settle into his new residence and to adequately prepare Plaintiffs' motion for summary judgment. Pursuant to the February 6, 2025, Scheduling Order, Dispositive motions are due on September 12, 2025, with Responses due on October 3, 2025 and Replies due on October 17, 2025. **See Exhibit A.- February 6, 2025, Scheduling Order.** I have consulted with and Mark Berman of Bond, Schoeneck & King PLLC, representing Defendant Michael Ferrucci Repair, Inc. ("Defendant"). Defendant, who also intends to file a motion for summary judgment, consents to Plaintiffs' request for an adjournment.

Whereas the Court's February 6, 2025, Order provides that Dispositive motions shall be filed by September 12, 2025, the Plaintiff submits, with Defendant's consent, that additional time is warranted. In light of this deadline, and the fact that counsel for Plaintiffs will be relocating to a new residence with his family during the same week, both Parties agree that an extension is necessary to allow for the adequate preparation of their respective summary judgment motions. The Parties have complied with all the other deadlines in the Order, having completed fact discovery on July 18, 2025, and expert discovery on August 8, 2025.

Accordingly, the Plaintiff respectfully requests, with the consent of Defendant, that the Court grant this Motion on Consent to Adjourn the Dispositive Motion deadlines by three (3) weeks, such that the deadline for filing dispositive motions will be October 3, 2025; responses to dispositive motions will be due on October 24, 2025; and replies will be due on November 7, 2025.

Dated: August 11, 2025

/s/ Reese Serra
REESE SERRA (P74482-Michigan
and 6074496 – New York)
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Counsel for Plaintiffs

EXHIBIT A

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

97 LEASING, LLC,
a Michigan limited liability company
and ANGLIN CIVIL, LLC, a Michigan
limited liability company

Plaintiffs,

Case No. 24-cv-00052-JGK

v.

Hon. John G Koeltl

MICHAEL FERRUCCI REPAIR, INC.,
a New York corporation

Defendant.

Scheduling Order -

REVISED JOINT RULE 26(F) REPORT AND PROPOSED DISCOVERY
PLAN

Counsel for the parties, having conferred pursuant to Federal Rule of Civil Procedure 26(f) hereby submit this Revised Joint Rule 26(f) Report and Proposed Discovery Plan.

1. Any motion to amend the pleadings or to join additional parties shall be filed within 60 days of the Court's decision on Defendant's Motion to Dismiss.
2. Initial Disclosures pursuant to Fed. R. Civ. 26(a)(1) shall be completed by the parties, no later than 30 days after Defendant's Answer is filed.
3. The parties have agreed on the proposed schedule listed below:
 - a. ~~Non-Expert~~ discovery ^{*All including expert discovery*} shall be completed by July 18, 2025.

b. Expert Discovery:

- i. Expert Reports shall be exchanged no later than September 18, 2025.
- ii. All expert discovery shall be completed by November 17, 2025.
- iii. Rebuttal expert reports shall be exchanged no later than October 17, 2025.

c. Dispositive motions:

- i. Dispositive motions shall be filed by ~~December 15, 2025~~ *September 12, 2025*
- ii. Response to dispositive motions shall be filed by ~~January 15, 2026~~ *October 3, 2025*
- iii. Replies in support of dispositive motions shall be filed by ~~January 30, 2026~~ *October 17, 2025*

4. The subjects upon which discovery may be needed include but are not limited to, the allegations in Plaintiff's Complaint and Defendant's defenses.

5. Discovery should not be conducted in phases or be limited to or focused on particular issues.

6. The parties have not identified any issues about disclosure or discovery of electronically stored information.

7. The parties have not identified any issues about claims of privilege or

of protection as trial-preparation materials.

8. The parties have not identified any need to impose any additional limitation on discovery.

9. The parties have not identified any order that the Court should issue under Rule 26(c) or Rule 16(b) and (c).

10. The parties do not consent to proceedings before a United States Magistrate Judge.

Dated: February 6, 2025

Respectfully Submitted,

/s/ Reese Serra

REESE SERRA (P74482-Michigan and
6074496 – New York)

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/s/ Mark Berman

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The parties should file
a Joint Pre-Trial Order
together with Motions-in-Limit,
and proposed jury
instructions and
requests to Charge within
21 days after decision of
any dispositive Motion. Ready-Trial, 48 hours notice
21 days after submission of the Joint Pre-Trial Order.

SO ORDERED:

2/6/25
DISTRICT COURT JUDGE